

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Kelly L. Barkhuff,

Civil No. 10-01975 (SRN/TNL)

Plaintiff,

v.

**ORDER**

Michael J. Astrue, Commissioner of Social Security,

Defendant.

---

Andrew E. Kline, 301 4th Avenue South, Suite 270, Minneapolis, MN 55415; Thomas A. Krause, Thomas A. Krause, P.C., 4211 Grand Avenue, Suite 1, Des Moines, IA 50312 , counsel for Plaintiff.

Lonnie F. Bryan, Assistant United States Attorney, 600 United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415, counsel for Defendant.

---

Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated July 26, 2011 (Docket No. 22), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Docket No. 11) is **DENIED**;
2. The Commissioner's Motion for Summary Judgment (Docket No. 19) is **GRANTED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: August 12, 2011

s/ Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Court Judge